

United States Patent and Trademark Office



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,912	01/07/2002	John F. Malitzis	09857-086001	3822
26161 7590 09/20/2007		EXAMINER		
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			CHANDLER, SARA M	
			ART UNIT	PAPER NUMBER
			3693	
			MAIL DATE	DELIVERY MODE
•			09/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application No. Applicant(s) 10/040.912 MALITZIS, JOHN F. Interview Summary Examiner Art Unit 3693 Sara Chandler All participants (applicant, applicant's representative, PTO personnel): (1) Sara Chandler. (3) Jagdish Patel. (2) Denis Malony. Date of Interview: 05 September 2007. Type: a) ✓ Telephonic b) ✓ Video Conference c) Personal [copy given to: 1) applicant 2) applicant's representative e) No. Exhibit shown or demonstration conducted: d) Yes If Yes, brief description: Claim(s) discussed: 1-16. Identification of prior art discussed: Sliverman, Serkin. Agreement with respect to the claims f was reached. g was not reached. f N/A. Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet. (A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.) THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

JAGDISH N. PATEL PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Application No. 10/040,912

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant requested an interview to discuss the basis for the 101,112, paragraph 2, double patenting and 102 prior art rejections. Applicant expressed his opinions regarding the merits of these rejections. Examiner Chandler explained the basis for the interpretation given the claims and the rejections as represented in the non-final action. Applicant proposed claim language for amendment. Examiners Chandler and Patel suggested presenting arguments and claim amendments in the next office action and that they would be considered at that time. Applicant expressed that he believed the claim language had understood meaning in the art. Examiner Chandler reiterated the basis for the claim interpretation and 112 rejections. In particular, the need to explicitly define the meaning of terms such as "avoidance of an internalization execution process" and "priority" in order to avoid indefiniteness and/or overly broad interpretation and the need for antecedent basis for the term "the best bid or best offer price."